

Attorney Docket No. 108298529US
Disclosure No. 99-1289

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Date: March 29, 2004

By: Stephen P. Whelan

Stephen P. Whelan

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GEORGE E. SMITH

APPLICATION NO.: 09/644,371

FILED: AUGUST 23, 2000

FOR: APPARATUS AND METHOD FOR
OBSERVING CHEMICAL SUBSTANCES

EXAMINER: JOSEPH C. MEREK

ART UNIT: 3727

CONF. NO: 1295

Resubmission of Amendment Filed on November 26, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In a March 29, 2004 telephone conference with Stephen Whelan regarding the above-referenced application, Examiner Merek confirmed that the Amendment filed November 26, 2003 has not been received. Applicant herewith submits a copy of the Amendment filed November 26, 2003, and documentation that the response was timely filed.

Enclosed is a copy of the Amendment filed November 26, 2003, along with the corresponding date-stamped postcard indicating receipt by the USPTO on November 26, 2003, and a Track and Confirm printout from the United States Postal Service's web site indicating the item with Express Mail No. EV335522875US was delivered to the USPTO on November 28, 2003. Applicant respectfully requests that the November 26, 2003 Amendment be considered a timely response to the August 27, 2003 Office Action.

If the Examiner has any questions, he is requested to contact David Dutcher at (206) 359-6465.

Respectfully submitted,
Perkins Coie LLP



David T. Dutcher
Registration No. 51,638

Date: March 29, 2004

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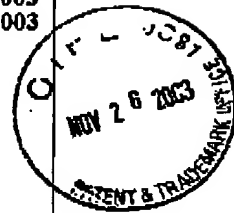
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in re: George E. Smith, App. No. 09/644,371, Conf. No. 1295, filed August 23, 2000, for APPARATUS AND METHOD FOR OBSERVING CHEMICAL SUBSTANCES.

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